

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION OF</b>	)	<b>CASE NO. ERN-T-05-1</b>
<b>ERNEST COMMUNICATIONS, INC. FOR A</b>	)	
<b>CERTIFICATE OF PUBLIC CONVENIENCE</b>	)	<b>NOTICE OF APPLICATION</b>
<b>AND NECESSITY TO PROVIDE LOCAL</b>	)	
<b>EXCHANGE AND TOLL SERVICES WITHIN</b>	)	<b>NOTICE OF MODIFIED</b>
<b>THE STATE OF IDAHO.</b>	)	<b>PROCEDURE</b>
	)	
	)	<b>ORDER NO. 29796</b>

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**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that on March 14, 2005, Ernest Communications, Inc. filed an Application for a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange and resold interexchange services to residential and business customers within the State of Idaho. The Company amended its Application with several replacement pages filed with the Commission on April 29, 2005.

YOU ARE FURTHER NOTIFIED that Ernest plans to offer local exchange services primarily through the purchase of unbundled network element platform (UNE-P) or its equivalent through interconnection agreements with the incumbent local exchange carrier, Qwest.

YOU ARE FURTHER NOTIFIED that Ernest is a Georgia corporation authorized by the Idaho Secretary of State to transact business within the State of Idaho. Ernest currently provides service in 21 states, including Alabama, Arizona, California, Colorado, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Virginia, and Washington.

**NOTICE OF MODIFIED PROCEDURE**

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the Application in this case and has preliminarily determined that the public interest in this matter may not require a hearing to consider the issues presented, and that the issues raised by the Application may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. IDAPA 31.01.01.210-204.

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YOU ARE FURTHER NOTIFIED that the Commission may not hold a hearing in this proceeding unless it receives written protests or comments opposing the use of modified procedure and stating why modified procedure should not be used. IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that the **deadline for filing written comments or protests** with respect to the Application and the use of Modified Procedure in this case is twenty-one (21) days from the service date of this Order. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Applicant at the address reflected below:

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

Carey Roesel  
Technologies Management, Inc.  
PO Box 200  
Winter Park, FL 32789  
E-mail: [tmi@tminc.com](mailto:tmi@tminc.com)

Street Address for Express:  
472 W. Washington Street  
Boise, ID 83702

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via email may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Comments and Questions" icon, and complete the comment form using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail address listed above.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission may consider the matter on its merits and may enter its Order without a formal hearing. If written comments or protests are received within the deadline, the Commission will consider them and in its discretion may set the matter for hearing or may decide the matter and issue its Order based on the written comments before it. IDAPA 31.01.01.204.

YOU ARE FURTHER NOTIFIED that the Application together with supporting workpapers and exhibits have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices or on the Commission's website, [www.puc.idaho.gov](http://www.puc.idaho.gov).

### ORDER

IT IS HEREBY ORDERED that the Application of Ernest Communications, Inc. be processed by Modified Procedure, IDAPA 31.01.01.201-204. Persons interested in submitting written comments in this matter must do so no later than twenty-one (21) days from the service date of this Order.

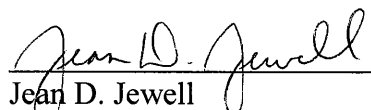
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 8<sup>th</sup> day of June 2005.

  
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PAUL KJELLANDER, PRESIDENT

  
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MARSHA H. SMITH, COMMISSIONER

  
\_\_\_\_\_  
DENNIS S. HANSEN, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jean D. Jewell  
Commission Secretary

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